

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

UNITED STATES OF AMERICA

VERSUS

CRIMINAL NO. 2:09cr43 KS-MTP-002

TELANDRA GAIL JONES, ET AL

ORDER

This cause is before the Court on Defendant Telandra Gail Jones' Motion *In Limine* to Exclude Out-of-Court Statements Elicited From Unavailable Witnesses [118], Response thereto by the United States [133], and the Court considering same finds that the Motion should be sustained for the following reasons:

The objection of Defendant Jones is that she believes investigators' statements from witnesses will be offered to the jury in the Government's case in chief to establish the guilt of one or more of the Defendants. If the statements only are offered then the Defendant would not have an opportunity to cross-examine and confront the witnesses against her. The Sixth Amendment of the Constitution, as well as a long line of cases establish a Defendant's right to confront his or her accuser. See *Crawford v. Washington*, 541 U.S. 36 (2004). This Court will enforce the Defendant's Constitutional rights, including the confrontation clause and applicable case law pertaining thereto. Any statements that are offered must meet requirements of F.R.E. 801, 802, 803 and 804.

SO ORDERED this the 14th day of May, 2010.

s/ Keith Starrett
UNITED STATES DISTRICT JUDGE